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AMENDMENT 2 TO MIAMI-DADE COUNTY EMERGENCY ORDER 23-20

WHEREAS, on March 19, 2020, the County Mayor issued Emergency Order 07-20 relating to coronavirus disease 2019 (COVID-19); and

WHEREAS, Emergency Order 07-20, as amended by amendment nos. 1 through 3, required the closure of all non-essential retail and commercial establishments, as defined therein; and

WHEREAS, on April 9, 2020, the County Mayor issued Emergency Order 20-20; and

WHEREAS, Emergency Order 20-20 required facial coverings, as defined by the United States Centers for Disease Control and Prevention ("CDC"), to be worn by persons working in or visiting grocery stores, restaurants, public transit vehicles, vehicles for hire, and locations where social distancing measures are not possible; and

WHEREAS, section 8B-7(2)(f) of the Code of Miami-Dade County ("Code") authorizes the County Mayor to order the closure of any commercial establishment; and

WHEREAS, subsection (e) and (o) of section 8B-7(2) of the Code authorize the County Mayor to limit the movement of persons inside Miami-Dade County in order to safeguard life and health; and

WHEREAS, the Governor, in Executive Order 20-122, has allowed Miami-Dade County to proceed to Phase 1 of the Safe, Smart, Step by Step Plan for Florida's Recovery, subject to the limitations imposed in Executive Order 20-112 paragraphs two through six; and

WHEREAS, as Miami-Dade County COVID-19 hospitalizations have stabilized and begun declining, the County will be allowing for certain activities to resume that pose a less significant threat for transmission of the virus; and

WHEREAS, on May 15, 2020, the County Mayor issued Emergency Order 23-20, which allowed certain establishments throughout Miami-Dade County to open, subject to targeted restrictions designed to minimize the risk of spreading COVID-19 while allowing economic activity; and

WHEREAS, the establishments that were not allowed to open in Emergency Order 23-20 are those which the County, in consultation with medical experts, believe presented a higher risk of COVID-19 spread if allowed to operate, due to the duration, intensity, and density of person to person contact in such establishments; and

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WHEREAS, the County Mayor believes that, given current trends in COVID-19 locally, that banquet halls, massage parlors or studios, tattoo parlors, gyms, fitness studios, summer camps, and youth activities may safely operate, subject to the rules set forth in the Moving To A New Normal Handbook; and

WHEREAS, the County Mayor would like to provide a process for the opening of movie theaters, bowling alleys, amusement facilities, casinos, and other high risk but individually unique establishments; and

WHEREAS, this amendment:

- reopens banquet halls, gyms, fitness centers, summer camps, youth activities, massage studios or parlors, and tattoo parlors, if operated in accordance with the Moving to A New Normal Handbook and Emergency Order 23-20;
- provides a process for the opening of movie theaters, bowling alleys, amusement facilities, casinos, and other high risk but individually unique establishments; and

WHEREAS, the safety and welfare of all the residents of Miami-Dade County is paramount,

THEREFORE, as County Mayor of Miami-Dade County, I hereby order:

A. Paragraph 4 of Emergency Order 23-20, as amended, is amended and restated as follows:

4. The following establishments remain closed:

a. bars, pubs, night clubs, [[~~banquet halls~~]], cocktail lounges, cabarets, and breweries [[~~except for take-out or delivery services as authorized pursuant to Emergency Order 03-20~~]], >>provided, however, that such venues, if licensed as a public food service establishment pursuant to chapter 509, Florida Statutes, may: (1) sell food and alcoholic beverages for onsite consumption in conformance with the rules for restaurants set forth in the Handbook, and (2) have performances if performers are no less than ten feet from patrons at all times and such patrons observe such performances from tables or stationary seats.<<

b. movie theaters, concert houses, auditoriums, playhouses, bowling alleys, arcades, indoor amusement facilities, >>and<< casinos (but excluding casinos on sovereign tribal land), >>provided, however, that such venues may operate if they (i) have submitted to, and received approval from, the County a reopening and operation plan for COVID-19 mitigation in accordance with the standards set forth in the Handbook; and (ii) operate in conformance with the approved plan<<; [[~~gymnasiums, and fitness studios;~~

~~c. tattoo parlors;~~

~~d. massage studios or parlors;~~

~~e. summer camps; and~~]]

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[[c]]>>f<<. concerts, conventions, and other temporary events, except outdoor events which may be held with appropriate social distancing, such as attendees remaining in their own cars.

B. The balance of Emergency Order 23-20 remains in full force and effect.

C. Exhibit A to Emergency Order 23-20, as amended, is replaced by Exhibit A hereto.

D. This amendment shall be effective as of 12:01 a.m. on June 8, 2020.

E. This amendment shall be provided to all appropriate media consistent with the requirements of section 8B-7(2)(n) of the Code of Miami-Dade County.

Enacted:
Signed: _____
COUNTY MAYOR
Date: 6/4/2020 Time: 16:25
Witness: Lourdes P. Jimenez

Cancelled:
Signed: _____
COUNTY MAYOR
Date: _____ Time: ___:___
Witness: _____

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CITY OF NORTH MIAMI

EMERGENCY ORDER RELATING TO THE RE-OPENING OF GYMS, FITNESS STUDIOS AND SUMMER CAMPS

(EFFECTIVE MONDAY, JUNE 8, 2020 @ 12:01 a.m.)

WHEREAS, COVID-19 is a respiratory illness caused by a virus that spreads rapidly from person to person and may result in serious illness or death, and constitutes a clear and present threat to the lives, health, welfare, and safety of the people of the City of North Miami, Florida; and

WHEREAS, on March 9, 2020, Florida Governor Ron DeSantis promulgated Executive Order 20-52 and declared a State of Emergency in Florida in response to COVID-19; and

WHEREAS, on Friday, March 13, 2020, I, as Interim City Manager of the City of North Miami, declared a state of emergency which, among other requirements, imposed emergency measures effective immediately; and

WHEREAS, on March 19, 2020, Miami-Dade County issued Emergency Order 07-20 which required the closure of all non-essential retail and commercial establishments; and

WHEREAS, as Miami-Dade County COVID-19 hospitalizations have stabilized and are declining, the County will be allowing for certain activities to resume that do not pose a threat for transmission of the virus; and

WHEREAS, Governor Ron DeSantis, under Executive Order 20-122, has allowed Miami-Dade County to proceed with the implantation of the Safe, Smart, Step by Step Plan for Florida's Recovery, subject to the limitations imposed in Executive Order 20-112, paragraphs two through six; and

WHEREAS, on May 15, 2020, Miami-Dade County issued Emergency Order 23-20 allowing for the re-opening of non-essential retail and commercial establishments; and

WHEREAS, on June 4, 2020, Miami-Dade County amended Emergency Order 23-20 to allow for the re-opening of banquet halls, gyms, fitness centers, summer camps, youth activities, massage studios or parlors, and tattoo parlor parlors, if operated in accordance with the Moving to A New Normal Handbook; and

WHEREAS, the City will be abiding by the conditions set forth in the amended County Order, however, under its Home Rule power, the City will retain control over when and how these businesses re-open and may impose stricter standards within the City, if necessary.

Now, therefore, I, Arthur H. Sorey, III, Interim City Manager, by virtue of the power vested in me by the North Miami Code of Ordinances pursuant to the state of emergency that I executed on Friday, March 13, 2020, I hereby **ORDER** and **PROMULGATE** the

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following additional emergency measures, effective **June 8, 2020 at 12:01 a.m.** (the "Order"):

Section 1. **Re-Opening of Gyms, Fitness Studios and Other Facilities.**

All standards and requirements that apply to banquet halls, gyms, fitness centers, summer camps, youth activities, massage studios or parlors, and tattoo parlors pursuant to Amendment No. 2 to Miami-Dade County Emergency Order 23-20 (attached as Exhibit "A"), shall apply to all businesses that re-open. At this time, the following establishments remain closed:

a. Bars, pubs, night clubs, cocktail lounges, cabarets and breweries, unless authorized pursuant to Amendment No. 2 to MDC Emergency Order 23-20;
b. Movie theaters, concert houses, auditoriums, playhouses, bowling alleys, arcades, indoor amusement facilities, unless authorized pursuant to Amendment No. 2 to MDC Emergency Order 23-20;
c. Concerts, conventions, and other temporary events, except outdoor events which may be held with appropriate social distancing, such as attendees remaining in their own cars.

Section 2. This Order is in addition to, and supplements, the City's Emergency Orders. All requirements of City Emergency Orders, Miami-Dade County Emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all times.

THE EMERGENCY MEASURES THAT HAVE BEEN ORDERED AND PROMULGATED ABOVE SHALL BE EFFECTIVE JUNE 8, 2020 AT 12:01 a.m. UNTIL RESCINDED BY THE INTERIM CITY MANAGER OR UNTIL THE TERMINATION OF THE STATE OF EMERGENCY.

Dated: 6/7/2020

By: DocuSigned by: Arthur H. Sorey, III
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Arthur H. Sorey, III, Interim City Manager

ATTEST:

DocuSigned by:
BB47A2B4B262492...
Vanessa Joseph, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

DocuSigned by:
8AF8443B744D491...
Jeff P. H. Cazeau, City Attorney